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Attorneys for Plaintiff and Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL CHURCH
FOURSQUARE GOSPEL,

Plaintiff,

v.

CITY OF SAN LEANDRO,

Defendants.

) Case No.: CO7-03605-PJH-JCS

)

) **DECLARATION OF DAVID**
) **MORTARA IN SUPPORT OF**
) **MOTION FOR SUMMARY**
) **JUDGMENT**

)

)

)

)

)

Date: October 1, 2008

Time: 9:00 a.m.

Courtroom: 3

Hon.: Phyllis J. Hamilton

FAITH FELLOWSHIP FOURSQUARE)
CHURCH,)

Real Party in Interest.)

DECLARATION OF DAVE MORTARA

1 I, David Mortara, do hereby declare as follows:

2
3 1. That if called upon, I could and would testify truthfully, as to my own
4 personal knowledge, as follows:

5 2. I am the administrator for Faith Fellowship Church.

6
7 3. I have reviewed the item marked Exhibit 1 which accompanies this
8 declaration. The exhibit comprises two documents for two loans on the property
9 known as 14600 and 14850 Catalina Street, in San Leandro, CA. The Catalina
10 property is the property that Faith Fellowship desires to use for religious assembly
11 and is the subject of this lawsuit.

12
13 4. The first loan has a principal balance of \$3,932,172.45, with monthly
14 payments in the amount of \$25,430.98. The second loan has a principal balance of
15 \$1,295,318.57, with monthly payments in the amount of \$8,378.90. In sum, the
16 total monthly mortgage payment for the Catalina property is \$33,809.88.

17
18
19 I declare, under penalty of perjury under the laws of the State of California
20 and the United States of America, that the foregoing is true and correct and is of my
21 own personal knowledge, and indicate such below by my signature executed on this
22 26th day of August, 2008, in the County of Alameda, City of San Leandro.

23
24
25 /S/ Dave Mortara
26 Dave Mortara, Declarant
27
28

DECLARATION OF DAVE MORTARA

Attorney Attestation re Signature

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

/S/ Kevin Snider

Kevin T. Snider

Mathew B. McReynolds

Peter D. MacDonald

Attorneys for Plaintiff and

Real Party in Interest